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July 16, 2014

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(202) 234-4433      Neal R. Gross and Co., Inc.  
Washington DC      [www.nealrgross.com](http://www.nealrgross.com)

**PRESENT:**

**RUTHANNE MILLER, Chairperson**

**NICK ALBERTI, Member**

**DONALD BROOKS, Member**

**HECTOR RODRIGUEZ, Member**

**JAMES SHORT, Member**

**MIKE SILVERSTEIN, Member**

P-R-O-C-E-E-D-I-N-G-S

9:50 a.m.

CHAIR MILLER: Next case is Case  
No. CMP-00039 Nam Viet Pho 79, located at 3419  
Connecticut Avenue, Northwest, License No.  
25298 in ANC 3C.

MR. STERN: Michael Stern  
representing the District of Columbia.

MR. NGUYEN: John Nguyen. I'm  
President.

CHAIR MILLER: Okay, and I need to  
ask if you got notice of this hearing.

MR. NGUYEN: Yes.

CHAIR MILLER: And did you read it  
and understand it?

MR. NGUYEN: I did.

CHAIR MILLER: Okay, so there is  
no issue of notice in this case.

Are there any preliminary issues  
you want to bring to our attention at this  
point?

MR. STERN: Yes, there are. The

1 parties have entered into an agreement which  
2 was accepted as an offer in compromise.

3 The Respondent will pay a fine of  
4 \$2,000 to resolve this matter. Our  
5 understanding is that the quarterly statement  
6 has been filed.

7 CHAIR MILLER: The quarterly  
8 operating statements have been filed, that are  
9 due?

10 MR. STERN: As of May 15th, that's  
11 my understanding.

12 CHAIR MILLER: Okay.

13 MR. NGUYEN: Can I clarify one  
14 thing, ma'am?

15 CHAIR MILLER: Absolutely.

16 MR. NGUYEN: That was -- it was  
17 actually filed May 15th of 2013.

18 CHAIR MILLER: Okay.

19 MR. NGUYEN: Which I understand  
20 was late, but it was an error on my part. It  
21 was a data entry error, where I checked off  
22 'second quarter' one. It should have been

1 first quarter.

2 So, it was actually filed, but it  
3 was rather 15 days late, not May 15th of this  
4 past year.

5 CHAIR MILLER: Okay, and so,  
6 you're current with all your quarterly  
7 statement filings?

8 MR. NGUYEN: As far as I know,  
9 yes, ma'am.

10 CHAIR MILLER: Okay.

11 MR. NGUYEN: Yes.

12 CHAIR MILLER: Okay, and when is  
13 the \$2,000 --

14 MR. STERN: I'm sorry, within 30  
15 days.

16 CHAIR MILLER: Within 30 days,  
17 okay, and so, I want to just repeat the offer  
18 in compromise to you and make sure that you  
19 agree to it --

20 MR. STERN: All right.

21 CHAIR MILLER: -- so, that would  
22 be a fine of \$2,000 to be paid within 30 days.

1 MR. NGUYEN: Yes, ma'am.

2 CHAIR MILLER: Okay, any questions  
3 by Board Members?

4 Okay, then I move that we approve  
5 this offer in compromise of a fine of \$2,000,  
6 to be paid within 30 days. Do I have a  
7 second?

8 MEMBER RODRIGUEZ: Second.

9 CHAIR MILLER: Mr. Rodriguez  
10 seconded the motion. All those in favor say  
11 'aye'.

12 ALL: Aye.

13 CHAIR MILLER: All those opposed?  
14 All those abstaining? The motion passes 5-0-  
15 0.

16 Okay, thank you.

17 (Whereupon, the above-entitled  
18 matter went off the record at 9:52 a.m.)  
19  
20  
21  
22

<b>A</b>	<b>data</b> 4:21 <b>days</b> 5:3,15,16,22 6:6 <b>District</b> 1:1 3:8 <b>DONALD</b> 2:13 <b>due</b> 4:9	<b>Member</b> 2:12,13,14 2:15,16 6:8 <b>Members</b> 6:3 <b>met</b> 1:18 <b>Michael</b> 3:7 <b>MIKE</b> 2:16 <b>Miller</b> 1:21 2:11 3:3,11,14,17 4:7 4:12,15,18 5:5,10 5:12,16,21 6:2,9 6:13 <b>motion</b> 6:10,14 <b>move</b> 6:4	<b>President</b> 3:10 <b>presiding</b> 1:21	<b>understand</b> 3:15 4:19 <b>understanding</b> 4:5 4:11
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